

F. MINOR ENCROACHMENTS

ENCROACHMENTS are defined as the use, placement, or extension of private uses into, upon, over, or under public space or a publicly-owned property.

MAJOR ENCROACHMENTS are defined as uses of mostly permanent nature that may have long-term impact on public space and may not be easily removed. These requests are handled through the City's Encroachment Committee (contact 516-2559 for more information).

MINOR ENCROACHMENTS are defined as uses of mostly temporary or minor nature, posing little long-term physical impact on public space and which can be removed with relative ease if desired. The standards herein apply to the following minor encroachments:

- 1) Outdoor Merchandise
- 2) Street Furniture and Accessories
- 3) Awnings
- 4) Exterior Building and Accent Lighting
- 5) Overhead Signage
- 6) A-Frame Signage

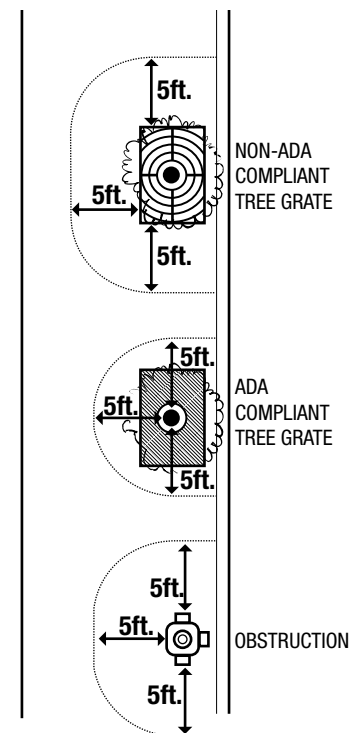
STANDARDS FOR ALL MINOR ENCROACHMENTS:

Minor encroachments cannot be placed, connected, attached, fastened, installed, used, erected, or maintained in public space without the appropriate permits. To be approved, any minor encroachment must meet the following standards:

- cannot be easily sited on the private property due to physical constraints,
- must not locate:
 - within 5 feet of public signs, utility boxes/ vaults, or areas regularly serviced by City Departments,
 - within 5 foot radius of any building corner adjacent to a street intersection,
 - within 5 foot radius of tree grates,
 - Within 5 feet of a fire hydrant, or
 - at any location where unobstructed passage for pedestrian traffic is reduced to less than 5 feet (7 feet on Fayetteville Street). Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk, and
- must not block access to public street furniture and other amenities.

Referrals to Encroachment Committee and Appeals

The Downtown Permit Office (DPO) coordinates the review of all permit requests outlined in this handbook. However, for a particularly complex permit request, or one of a potentially precedent-setting nature, the DPO staff may forward the request to the City's inter-departmental Encroachment Committee for expedited review. The DPO will inform the applicant of such finding at the earliest possible date, and assist in scheduling the request before the committee. The Encroachment Committee meets the first and third Mondays of each month. The submittal deadline for the Committee agenda is generally two weeks before before the meeting date. Please phone 516-2559 for additional details.



Clear space requirements around tree grates and other obstructions.



Additionally, if DPO staff members determine they cannot approve a given permit request, the applicant can elect to appeal that decision to the Encroachment Committee. If the Encroachment Committee denies the permit request, the decision may be appealed to the City Council through a Petition of Citizen. Details on filing Citizen Petitions can be obtained from the City Clerk's office by contacting 890-3040.

CAUTION: Special Care Is Required Around City Street Trees

Trees planted on City property within the Downtown Overlay District and on Fayetteville Street represent an asset that is collectively owned and maintained by the City of Raleigh for the benefit of all. Maintenance activities will not be permitted or undertaken that will negatively impact the uniformity of a streetscape or the health of the trees. Maintenance activities undertaken by City of Raleigh staff on city owned trees are limited to procedures intended to provide minimum clearances around streetlights, traffic signals and signs, and for pedestrian and vehicular passage. Other categories of pruning would be for clearance of rooflines and facades, and for the removal of dead, broken, or crossed branches. All pruning must be done in strict accordance with City standards. Those wishing to undertake maintenance activities on city-owned trees within the DOD trees must first obtain a Vegetative Impact Permit from the Urban Forester (contact 872-4115) and must abide by all conditions detailed therein. Permit requests may be denied if the health of the tree or the appearance of the streetscape would be negatively impacted by the proposed activity. No private maintenance activities will be permitted on city-owned trees on Fayetteville Street.

NOTE: Minor Encroachments which are part of building facade improvements may qualify for Façade Grant assistance.

The City's Façade Rehabilitation Grant Program helps businesses and property owners in downtown and nearby older commercial areas upgrade and improve their building's exterior appearance to create an attractive environment for innovations and business activities. Qualifying improvements include removal of false fronts (such as aluminum panels), repair or replacement of windows, doors and cornices, repair or replacement of façade materials, signage, awnings, exterior lighting, exterior painting (when part of a larger rehab effort) and architectural projections that are within 2 feet of the façade of the building. For more information on the Façade Grant Program, see Appendix Section 6.

All Minor Encroachment Permits are issued at the Downtown Permits Office. Façade Grant Permits are issued at the Raleigh Urban Design Center (contact 807-8482 for more information).

F-I. MINOR ENCROACHMENTS: Outdoor Merchandise

DESIGN STRATEGY

The display of goods for sale outside of a storefront transitions activity from private property to the public space. Outdoor **merchandise** displays add color and vibrancy to a pedestrian environment and generate economic activity.

APPLICATION PROCESS

Applications for Outdoor Merchandise Display Permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A valid Business License from the City of Raleigh. Established businesses requesting permits may produce a copy of the active Business License and Proof of Insurance.
2. A sketch plan or photographs showing proposed outdoor merchandise location and surrounding streetscape details covering 6 feet on either side of the proposed location including property lines, sidewalks, curb lines, lighting, trees indicating tree size, tree grates, planters, parking meters, benches, street signs, bus stops, and fire hydrants.
3. Description of outdoor merchandise to be displayed.
4. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
5. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
6. Fee payment (see table below).

Please Note:

- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.

REQUIRED PERMITS

- City of Raleigh Business License
- Minor Encroachment Permit

FEE SCHEDULE

Fee Item	Fee
City of Raleigh Business License	Varies*
Minor Encroachment Permit	\$150
Annual Renewal Fee	\$50

* Fee varies with nature, type and size of business



PERMIT PROVISIONS

- Outdoor merchandise permits are valid for one year from July 1st through June 30th.
- All permit renewal applications have to be submitted by June 30th to the Downtown Permits Office.
- All Business License renewal applications have to be submitted by June 30th to the City of Raleigh Revenue Services Division.
- Building owners and tenants can sell merchandise on public spaces with an Outdoor Merchandise Permit. Those wishing to sell merchandise in public space when it is not associated with a building or storefront must obtain Street Vending Permits.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email addresses that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- Permit holders may be required to remove private materials or accessories temporarily to allow street, sidewalk, or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- Special event permits supersede annual permits. During a special event approved by the City, annual permits are temporarily suspended. The annual permit holder is required to attain granted written permission from the event sponsor/ coordinator to set up on sidewalks within the designated event area. The permit holder is responsible for keeping track of upcoming special events and the designated boundaries that may affect their business. For more details on Downtown Special Events, please contact the Downtown Raleigh Alliance at 832-1231. All latest information on Downtown events can be tracked at the following website:
<http://www.godowntownraleigh.com/>
- All issued permits are location-specific. If within a given year of receiving permit, the applicant desires to change location of business, the application will have to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of re-submittal.

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For outdoor merchandise displays to be permitted within downtown public spaces, all of the following standards must be met:

Location

- Outdoor displays are limited to within 6 feet of the associated building facade.
- Display is permitted only in front of the associated retail business storefront, adjacent to the building wall, and on the same side of the street.
- Displays must maintain a 3 foot wide pedestrian corridor straight out from any entrance or exit.
- An unobstructed pedestrian corridor a minimum of 5 feet in width must be maintained parallel to the street at all times. Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.
- No items can be hung on or attached to street trees.

Fayetteville Street Standards

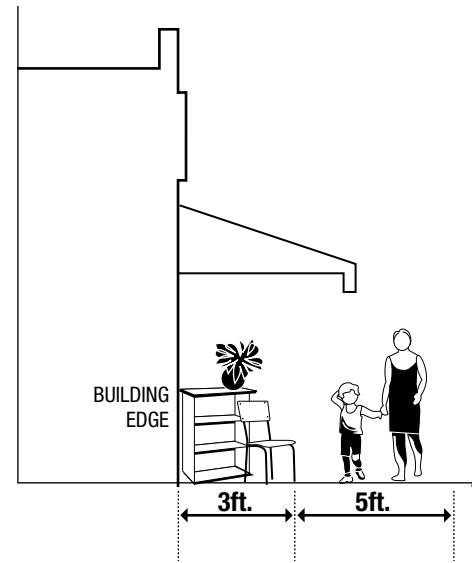
- Outdoor merchandise is allowed as long as an unobstructed 7 foot-wide pedestrian corridor is maintained parallel to the street at all times.

Design

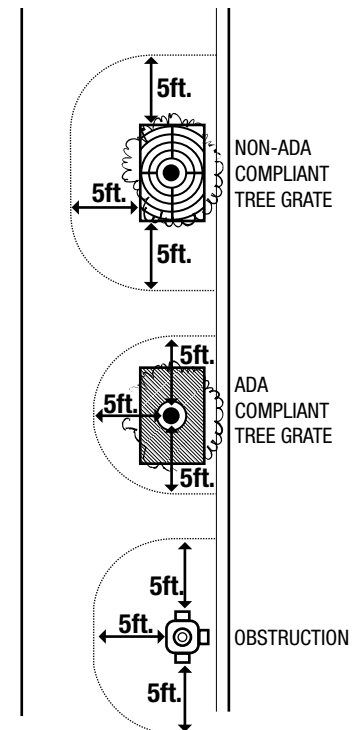
- No merchandise may be attached to the sidewalk or streetscape elements.
- All merchandise and display units must be secured to the display stands so that they do not dislodge during windy conditions.
- Outdoor display units must be stable and not easily tipped over.
- Outdoor merchandise on display must not include any objects with sharp edges, protrusions, or other features which may be hazardous to the public.

Operation

- Merchandise must not impede, endanger, or interfere with pedestrian or vehicular traffic.
- Building entrances and exits where an outdoor merchandise display area is located must remain unobstructed at all times.
- Outdoor merchandise on display must not block regulatory signs, crosswalks, or intersections.
- Outdoor display of goods and merchandise are limited to the items sold within the retail establishment.
- No shopping carts are allowed as part of the outdoor merchandise display.
- All outdoor displays must be removed from public space at the close of business and during inclement weather conditions.



Clear space requirements around tree grates and other obstructions.



Maintenance

- The permit holder is responsible for keeping the permitted outdoor **merchandise area** clean of garbage, trash, or litter associated with the outdoor display of merchandise.
- The permit holder is responsible for the maintenance, upkeep, and security of the display area and the merchandise on display.

CHECKLIST

- ☐ City of Raleigh Business License
- ☐ Completed Minor Encroachment Application (*check “Outdoor Merchandise”*)
- ☐ Fees (Renewed Annually)
- ☐ Proof of Insurance
- ☐ Indemnity Agreement

F-2. MINOR ENCROACHMENTS: Street Furniture & Accessories

DESIGN STRATEGY

Private street furniture and accessories add to the distinctive look of a building or storefront. While some street furniture is provided by the city, the property owners can enhance the pedestrian realm with the use of pots, planters, benches, or public art. Pots and planters in front of storefronts contribute color and soften the street. Public art provides visual interest for pedestrians and creates a sense of place and identity.

APPLICATION PROCESS

Applications for Street Furniture Permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A sketch plan or photographs showing proposed street furniture location and surrounding streetscape details covering 6 feet on either side of the proposed location including property lines, sidewalks, curb lines, lighting, trees indicating tree size, tree grates, planters, parking meters, benches, street signs, bus stops, and fire hydrants.
2. Details of the street furniture – photographs, dimensions, and materials specifications.
3. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
4. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
5. Fee payment (see table below).

Please Note:

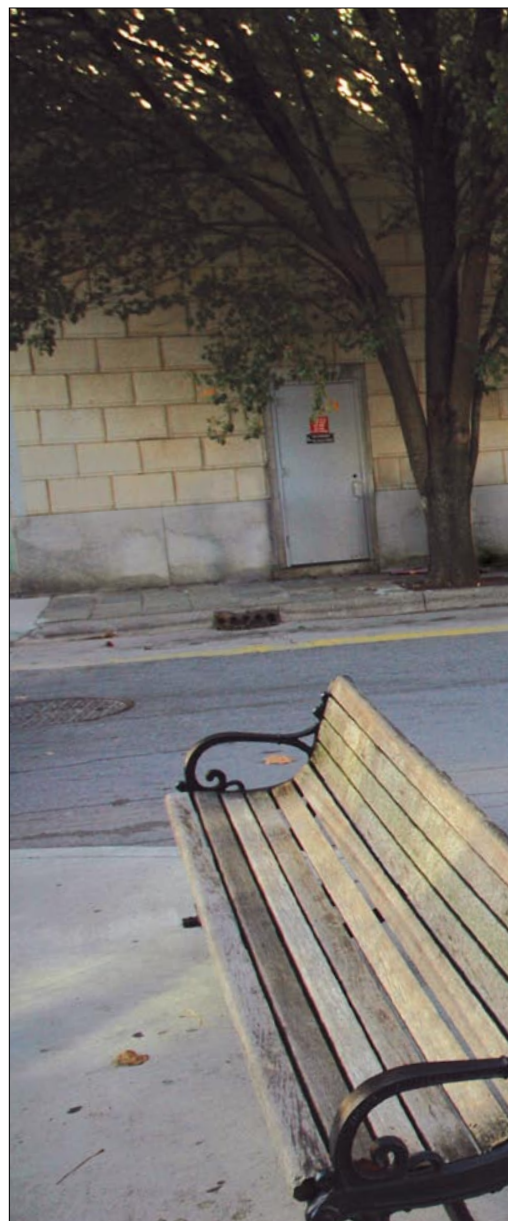
- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.

REQUIRED PERMITS

- Minor Encroachment Permit

FEE SCHEDULE

Item	Fee
Minor Encroachment Permit (one-time)	\$150





PERMIT PROVISIONS

- One-time permits are valid as long as the permitted use remains effective. Any time the scope of use, ownership, or location changes, permit application must be resubmitted.
- The standards in this section do not apply to furniture placed as part of a valid Outdoor Dining Permit.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email address that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- Permit holders may be required to remove private materials or accessories temporarily to allow street, sidewalk, or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- All issued permits are location-specific. If within a given year of receiving permit, the applicant desires to change location of business, the application will have to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of re-submittal.
- Special event permits supersede annual permits. During a special event approved by the City, annual permits are temporarily suspended. The annual permit holder is required to attain granted written permission from the event sponsor/ coordinator to set up on sidewalks within the designated event area. The permit holder is responsible for keeping track of upcoming special events and the designated boundaries that may affect their business. For more details on Downtown Special Events, please contact the Downtown Raleigh Alliance at 832-1231. All latest information on Downtown events can be tracked at the following website:
<http://www.godowntownraleigh.com/>

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For street furniture and accessories to be permitted within downtown public spaces, all of the following standards must be met:

Location

- Street furniture must be placed directly in front of the property and on the same side of the street no further than 3 feet out from the façade.
- Street furniture must not be attached to trees.

- An unobstructed sidewalk space 5 feet wide must be maintained parallel to the street for pedestrian traffic at all times. Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.

Fayetteville Street Standards

- An unobstructed pedestrian corridor a minimum of 7 feet in width must be maintained parallel to the street at all times.

Design

- Street furniture and accessories must be constructed of durable materials, which do not harm streetscape materials such as pavers or landscaping in any way. Plastic or unfinished wood is forbidden.
- Pots and planters must not be more than 36 inches tall (excluding plant height).

Operation

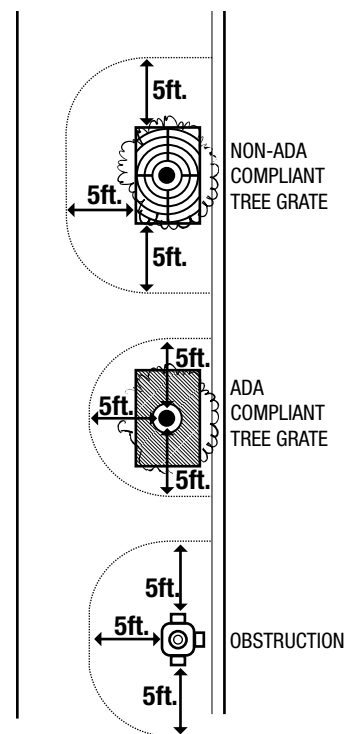
- All street furniture and accessories must be removable for periodic maintenance of public space.
- Private furnishings such as benches are allowed in public space only if the back of the benches are within 6 inches of the building façade.
- Street furniture and accessories must not block pedestrian access to and visibility of building entrances.

Maintenance

- The permit holder is responsible for the maintenance, upkeep and security of street furniture and related accessories.
- Repairs or replacement must be completed within 10 days of discovery.

CHECKLIST

- ☐ Completed Minor Encroachment Application (*check "Street Furniture"*)
- ☐ Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement



Clear space requirements around tree grates and other obstructions.

F-3. MINOR ENCROACHMENTS:

Awnings

DESIGN STRATEGY

Awnings are a highly effective means of enhancing a retail streetscape. They also create shelter from inclement weather and minimize heat gain inside of buildings. They aid in storefront recognition and help pedestrians view merchandise in the storefront windows by reducing glare.

APPLICATION PROCESS

Applications for Awning permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A Building Permit from the City Inspections Department (contact the Downtown Permits Office at 516-2550).
2. A Vegetative Impact Permit from the Urban Forestry Division (contact 872-4115), if the installation of awnings is likely to impact City trees. The Urban Forestry Division must be notified prior to the installation of any building encroachments. No pruning of City trees is permitted until a Vegetative Impact Permit is approved.
3. A Facade Grant application if awnings are installed as part of Façade Grant work (contact 807-8482 for more information).
4. At least two sketches or photographs of the building facade - one directly from the front, and another from one side showing where the awnings are to be installed, their finished height above the sidewalk, and all streetscape materials (trees, signs, etc.) and building features (exterior lighting, signs, etc.) within 6 feet of the installed awnings.
5. Details of the awnings themselves, including dimensions, materials and framing, color(s), and associated signage (if any).
6. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
7. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
8. Fee payment (see table below).

Please Note:

- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.



REQUIRED PERMITS

- Building Permit
- Minor Encroachment Permit
- Vegetation Impact Permit (if needed)

FEE SCHEDULE

Item	Fee
Building Permit	\$70
Minor Encroachment Permit (one-time)	\$150
Vegetation Impact Permit (If needed)	\$60

PERMIT PROVISIONS

- One-time permits are valid as long as the permitted use remains effective. Any time the scope of use, ownership, or location changes, permit application must be resubmitted.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email address that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- **NOTE:** The City Façade Rehabilitation Grant Program provides limited matching grants for installation of awnings(contact the Urban Design Center at 807-8482 for details).

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

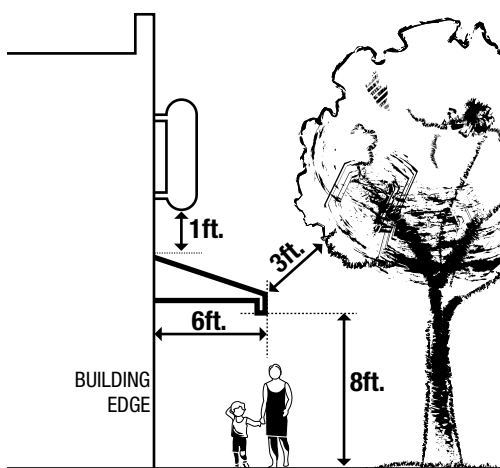
For awnings to be permitted within downtown public spaces, all of the following standards must be met:

Location

- The bottom edge of any awning must be a minimum of 8 feet above sidewalk grade.
- Awnings may extend into public space 6 feet from the building front.
- Awnings must maintain a minimum clear distance of 3 feet from any tree branch, and 1 foot from projecting signage.

Fayetteville Street Location Standards

- Awnings may extend into public space 12 feet or to the closest edge of the **Garden Zone**.



Design

- Awnings must be mounted and supported by the building. No portion of the awning can touch the ground.
- Awnings may be constructed of metal, canvas, or fire resistant acrylic.
- Awnings must be in proportion to the overall building façade and match the width of the window or storefront opening.
- Use of one long awning across more than one building is not allowed. Each building must have a separate awning on its front.
- Upper floor awnings must be mounted within the window opening.
- Awnings are encouraged to be variations on the shed roof form.
- Signage on awnings must meet the City Code specifications. Refer to City Code Sec. 10-2083.2 for more information.
- Internal illumination of awnings is not permitted.

Maintenance

- Awnings must be kept clean and in good condition at all times.
- Any damaged awning fabric or framework must be replaced or removed promptly.
- Any pruning of nearby tree branches can only be done by qualified persons under contract by tenant/owner and under permit by the Urban Forester (contact 872-4115).
- Permits may be denied if the proposed level of pruning is deemed unhealthy for city tree by the Urban Forester or his/her staff.

CHECKLIST

- ☐ Building Permit
- ☐ Vegetation Impact Permit (*if needed*)
- ☐ Façade Grant Application (*if desired*)
- ☐ Completed Minor Encroachment Application (*check “Awning”*)
- ☐ Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement



F-4. MINOR ENCROACHMENTS:

Exterior Building & Accent Lighting

DESIGN STRATEGY

Exterior building and accent lighting offer dramatic ways to highlight architectural features and bring buildings to life during evening hours. They can also help light the sidewalk and enhance the safety of public spaces. Exterior building and accent lighting lends brightness, festivity, and vitality to an active urban environment.

APPLICATION PROCESS

Applications for Exterior Building and Accent Lighting Permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. An Electrical Permit from the City Inspections Department for fixture installation (contact the Downtown Permits Office at 516-2550).
2. A Vegetative Impact Permit from the Urban Forestry Division (contact 872-4115), if the installation of awnings is likely to impact city trees in front of buildings. The Urban Forestry Division must be notified prior to the installation of any building encroachments. No pruning of City trees is permitted until a Vegetative Impact Permit is approved.
3. A Facade Grant application if awnings are installed as part of Façade Grant work (contact 807-8482 for more information).
4. At least two sketches or photographs of the building facade - one directly from the front, and another from one side showing where the fixtures are to be installed, their finished height above the sidewalk, and all streetscape materials (trees, signs, etc.) and building features (awnings, signs, etc.) within 6 feet of the installed light fixture.
5. Details of the fixtures themselves, including dimensions, materials and framing, color(s).
6. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
7. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
8. Fee payment (see table below).

Please Note:

- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.



REQUIRED PERMITS

- Electrical Permit
- Minor Encroachment Permit

FEE SCHEDULE

Item	Fee
Electrical Permit	\$70
Minor Encroachment Permit (one-time)	\$150

PERMIT PROVISIONS

- One-time permits are valid as long as the permitted use remains effective. Any time the scope of use, ownership, or location changes, permit application must be resubmitted.
- An Electrical Permit is required for lighting fixture installation and can be obtained from the City of Raleigh Inspections Department.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email address that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- **NOTE:** The City Façade Grant Program provides limited matching grants for installation of lighting fixtures. Contact the Urban Design Center at 807-8242 for details.
- All lighting fixtures extending into public space must meet the standards and specifications of this handbook and the City Code (Sec. 10-2089).
- Tree-affixed lighting is prohibited.

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For exterior building and accent lighting to be permitted within downtown public spaces, all of the following standards must be met:

Location

- Building mounted light fixtures must not extend more than 18 inches into public space if less than 7 feet above sidewalk grade.

Design

- Light fixtures must be shielded to prevent glare for pedestrians, motorists, adjacent businesses, residents, or tenants. For example, bulbs (lamps) must not extend past the fixture housing.
- All lighting fixtures must meet the standards of the City Lighting Ordinance. See Sec. 10-2089 for more information.
- Light fixtures must be directed at the building or the ground, keeping uplighting to a strict minimum.
- Rotating, blinking or strobe lights are prohibited, unless approved by the City Council.
- Color, neon and LED lights are permitted.
- The targeted combined minimum illuminance level for the sidewalk area is 2 footcandles, with an average uniformity ratio of 3:1. This uniformity ratio applies only to horizontal footcandle levels.

Operation

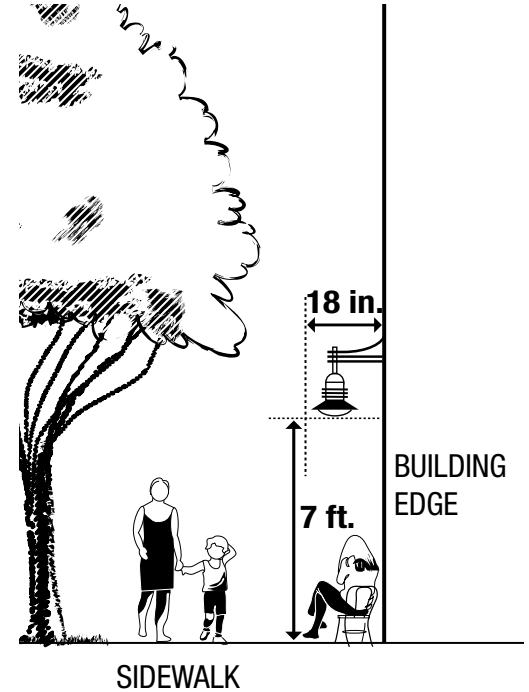
- Stores are encouraged to keep storefront lights on until midnight.
- Buildings may be lit from an adjacent building with mutual agreement between the building owners.

Maintenance

- The light fixtures must at all times be maintained in good condition.
- Burned-out light bulbs must be replaced within 48 hours. Damaged light fixtures must be replaced or removed within 10 days of discovery.
- Any pruning of nearby tree branches can only be done by qualified persons under contract by tenant/owner and under permit by the Urban Forester

CHECKLIST

- ☐ Electrical Permit
- ☐ Completed Minor Encroachment Application (*check "Exterior Building and Accent Lighting"*)
- ☐ Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement
- ☐ Facade Grant Application (*if desired*)



F-5. MINOR ENCROACHMENTS: Overhead Signs

DESIGN STRATEGY

Effective signage is essential to the success of retail and, to a lesser extent, other building types and land uses. An emphasis on quality and creativity is encouraged. The signage of each establishment should express its brand identity and contribute to the streetscape and civic spirit of Raleigh.

APPLICATION PROCESS

Applications for Overhead Sign permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A Building Permit from the City Inspections Department (contact the Downtown Permits Office at 516-2550).
2. An Electrical Permit from the City Inspections Department for installation of sign lighting (contact the Downtown Permits Office at 516-2550).
3. A Vegetative Impact Permit from the Urban Forestry Division (contact 872-4115), if the installation of sign fixtures is likely to impact city trees in front of buildings. The Urban Forestry Division must be notified prior to the installation of any building encroachments. No pruning of City trees is permitted until a Vegetative Impact Permit is approved.
4. A Facade Grant application if signs are installed as part of Façade Grant work (contact 807-8482 for more information).
5. At least two sketches or photographs of the building facade - one directly from the front, and another from one side showing where the signs are to be installed, their finished height above the sidewalk, and all streetscape materials (trees, light fixtures, etc.) and building features (awnings, lights, etc.) within 6 feet of the installed signage.
6. Details of the signage themselves, including dimensions, materials and framing, color(s).
7. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
8. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
9. Fee payment (see table below).

Please Note:

- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.



REQUIRED PERMITS

- Building Permit
- Electrical Permit
- Sign Permit
- Vegetation Impact Permit (*if needed*)
- Minor Encroachment Permit (check “Signage”)

FEE SCHEDULE

Fee Item	Fee
Building Permit	\$70
Electrical Permit (if needed)	\$70
Sign Permit	\$70
Vegetation Impact Permit (if needed)	\$60
Minor Encroachment Permit (one-time)	\$150

PERMIT PROVISIONS

- One-time permits are valid as long as the permitted use remains effective. Any time the scope of use, ownership, or location changes, permit application must be resubmitted.
- An Electrical Permit is required for fixture installation and can be obtained from the City of Raleigh Inspections Department.
- A Building Permit is required for building mounted signage and can be obtained from the City of Raleigh Inspections Department.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email address that will be added to a list serve created for permit holders. Downtown Permits Office maintains record of all permits including contact information.
- Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- **NOTE:** The City Façade Grant Program provides limited matching grants for installation of signage. Contact the Urban Design Center at 807-8482 for details.
- Tree-affixed lighting is prohibited.
- All signage extending over public space must meet the standards and specifications of this handbook and the City Sign Code (Sec. 10-2083).

Violations

- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3. of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For overhead signs to be permitted within downtown public spaces, all of the following standards must be met:

LOCATION

Projecting Signs:

- Signs must be hung perpendicular to the face of the building, except for corners where they may be hung at a 45 degree angle (measured from the corner) to the two building sides.
- Signs must not project more than 6 feet into the right of way from the building line.
- A 9 foot clearance must be maintained between the bottom of the signage and the sidewalk grade.
- Preferred signage locations include sign bands above the transom and on awnings. Corner buildings are encouraged to use projecting signs on their corners.

Awning Signs:

- A clearance of 8 feet must be maintained between the bottom of the awning and the sidewalk grade.

Logo Signs:

- Logo signs can extend a maximum of 3 feet from the building wall when used above the storefront, with a clearance below of 8 feet in height. They can extend a maximum of 5 feet when used above the storefront, with a clearance height greater than 8 feet.

DESIGN

- Signage must be compatible in scale, style, and composition with the building architecture and storefront design as a whole.
- Diverse graphic solutions are encouraged.
- All mechanical and electrical equipment must be concealed. All necessary access panels must be located at the store side of signage and designed as an integral part of the graphic design. Threaded rods or anchor bolts concealed from public view must be used to float elements from a mounting surface. Angle clips are not permitted.
- Electrical signs must be directly wired to the building's electrical service. Electrical signs should bear the U.L. (Underwriters Laboratories) label as required by applicable codes, and all labels excluding the city sign permit label must be concealed from public view.
- Light leaks not integral to the graphic design are prohibited. Light rays from signs must shine back on the property and not spill over the property in any direction, except by indirect reflection. Light projecting above the storefront must be minimized.
- There must be an emphasis on durable materials and quality manufacturing of the signage.



Logo sign



- Discouraged signage:
 - signs made of paper, cardboard, Styrofoam-type materials, formed plastic, injected molded plastic, or similar materials, which do not convey a sense of permanence or quality,
 - signs attached with suction cups or tape,
 - signs constructed of luminous vacuum formed plastic letters, or
 - signs with smoke-emitting components.
- Prohibited signage: LED changeable copy signs (unless approved by City Council).

Projecting Signs:

- Text and logo can project a maximum of $\frac{3}{4}$ inch from the background.
- Projecting signs can be internally or externally lit.
- Other City Code specifications must be met (refer to City Code Sec. 10-2083.2).

Awning Signs:

- Only business name, street address, building name, or logo is allowed on an overhead sign. No other advertising is allowed.
- Awning signage will be subtracted from the total signage allowance.
- Awning sign letters must not exceed 12 inches in height.

Logo Signs:

- The graphic image must be based upon the tenant's actual logo.
- Signs can be externally or internally illuminated when placed above a storefront.
- Signs must be externally illuminated when mounted on a wall surface below the top of the storefront.
- Federal and State-registered logo signs must not exceed $12\frac{1}{4}$ square feet and $3\frac{1}{2}$ feet in any dimension. That includes its casings, supports, and backings.

OPERATION

- Signs must not obscure a building's important architectural features, particularly in the case of historic buildings.
- Signage construction and installation must comply with all applicable Local and State codes.
- **Illuminated signs** must avoid colors red, yellow, and green when adjacent to a light-controlled vehicular intersection.
- City trees may not be pruned to increase sign visibility except with an approved Vegetative Impact Permit from the City Urban Forester.

MAINTENANCE

- Signage must be kept clean, structurally sound, and in a visually-appealing condition at all times.
- Damaged signs must be repaired or removed within a reasonable time limit from the time of discovery.
- Any tree pruning associated with keeping clearance from extending branches can only be done by qualified persons under contract by tenant/owner and under permit by the Urban Forester.
- Permits may be denied if the proposed degree of pruning is deemed unhealthy for a city tree by the Urban Forester or his/her staff.

CHECKLIST

- ☐ Building Permit (*for building mounted signs*)
- ☐ Electrical Permit
- ☐ Facade Grant Application Form (*if desired*)
- ☐ Vegetation Impact Permit (*if needed*)
- ☐ Sign Permit
- ☐ Completed Minor Encroachment Application Form (*check "Overhead Sign"*)
- ☐ Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement

F-6. MINOR ENCROACHMENTS: A-frame Signs

DESIGN STRATEGY

A-frame signs, also known as sandwich boards, are temporary freestanding signs used to draw pedestrian traffic into a shop or restaurant. They are effective in adding visual interest to the sidewalk while helping retail and restaurant establishments.

APPLICATION PROCESS

Applications for A-frame Sign Permits are obtained from the Downtown Permits Office. Each permit application must include the following items:

1. A sketch plan or photographs showing proposed sign location and surrounding streetscape details covering 6 feet on either side of the proposed location including property lines, sidewalks, curb lines, lighting, trees indicating tree size, tree grates, planters, parking meters, benches, street signs, bus stops, and fire hydrants.
2. Design of the sign – drawing or photographs, dimensions, materials specifications.
3. Proof of a valid Insurance Policy that provides a minimum liability of one million dollars. The City of Raleigh must be additionally insured under the policy.
4. A written Indemnity Agreement satisfactory to the City Attorney that will hold harmless the City, its officers, councilors and employees, for any loss or liability or damage, including expenses and costs, for bodily or personal injury, and for property damage sustained by an person as a result of the negligent installation, use, or maintenance of a permitted public space within the City of Raleigh (see Appendix Section 5 for sample Indemnity Agreement).
5. Fee payment (see table below).

Please Note:

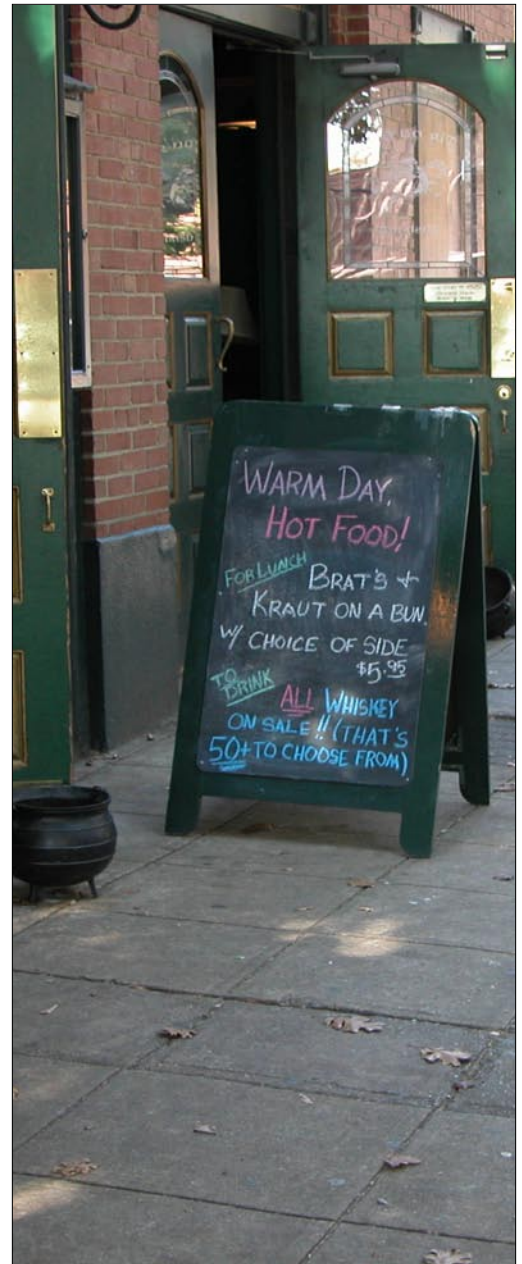
- Established businesses requesting permits may produce a copy of the active Proof of Insurance.
- Business owners requesting multiple Minor Encroachment Permits for use of public space at one location, for one business, can use one Proof of Insurance to cover all minor encroachment requests as long as the City is additionally insured under the policy.

REQUIRED PERMITS

- Sign Permit
- Minor Encroachment Permit

FEE SCHEDULE

Item	Fee
Sign Permit	\$70
Minor Encroachment Permit (one-time)	\$150



PERMIT PROVISIONS

- One-time permits are valid as long as the permitted use remains effective. Any time the scope of use, ownership, or location changes, permit application must be resubmitted.
- Downtown Permits Office maintains record of all permits including contact information.
- At the time of submittal of permit applications, applicants are also encouraged to provide contact email address that will be added to a list serve created for permit holders. Downtown Permits Office notifies applicants regarding the status of their permit approval.
- The permit holder is liable for all damages and repairs to the streetscape, trees and vegetation, sidewalks, streets, or other public amenities that directly relate to the use of the permitted space.
- Permit holders may be required to remove private materials or accessories temporarily to allow street, sidewalk, or utility access for maintenance operations or during approved special events. The Downtown Raleigh Alliance notifies permit holders via email at least 24 hours in advance of event related street closures approved through City Council.
- All issued permits are location-specific. If within a given year of receiving a permit, the applicant desires to change location of business, the application will have to be resubmitted for the new location. However, fees will be waived if the issued permit is still valid during the time of re-submittal.
- Signs within public space must also meet the standards and specifications of the City Sign Code (Sec. 10-2083).

Violations

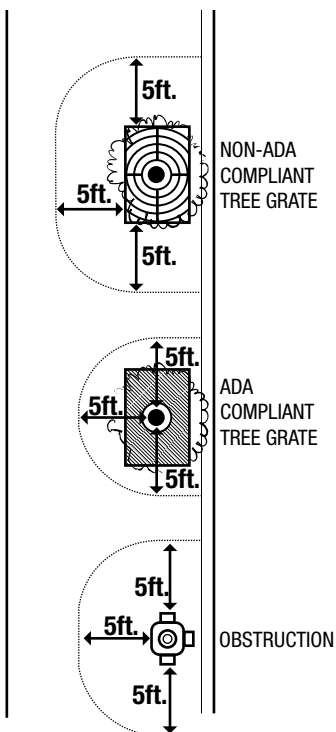
- The City of Raleigh Inspections Department notifies permit holders of violations.
- The permit holder is responsible for remedying the violation within the time period specified in the notice. Beyond that, fines or subsequent revocation of permits applies as per the standard procedure outlined in Section I.D.3 of this handbook.
- Permit violations incur a first time fine of \$100. Subsequent violations are \$200 for each occurrence and permits are revoked if a third violation occurs within a fiscal year.

STANDARDS

For A-frame signs to be permitted within downtown public spaces, all of the following standards must be met:

LOCATION

- Multi-tenant buildings are allowed one A-frame sign per storefront entrance.
- An unobstructed sidewalk pedestrian passage a minimum of 5 feet in width must be maintained at all times parallel to the street. Where existing obstructions are present (such as fire hydrants), the corridor can be measured to go around these obstructions. For tree grates, the corridor is measured from the outer edge of the grate, unless an ADA-compliant grate is installed, in which case the 5 feet can be measured directly from the tree trunk.



Clear space requirements around tree grates and other obstructions.

- Signs must be placed in front of the storefront in question and on the same side of the street.
- Signs must not be affixed to street trees.
- Signs must not obscure a building's important architectural features or the main building entrance.

Fayetteville Street Location Standards

- A-frame signs must allow an unobstructed 7 foot-wide pedestrian corridor parallel to the street at all times.
- A-frame signs are allowed within 3 feet of the building wall (but not within 3 feet of building entrances) or between 9 feet and 12 feet from the building wall (provided they do not block sight distance triangles at street intersections).

DESIGN

- A-frame signs can have a maximum area of 6 square feet with a maximum height of 3 feet and a 2 foot width.
- Business name, logo, street address, building name of the business, food menu of the attached business, sale announcements, price tags, real estate sales, or directional or safety information is permitted on a freestanding sign. The lettering must not exceed 80% of the board. No other advertising is allowed on the signs.
- A-frame signs must have locking arms or other stabilizing devices, and be of sufficient weight to resist wind gusts of up to 10 mph.
- Freestanding signage is subtracted from the property's total signage allowance.

OPERATION

- A-frame signs must not block building entrances or exits.
- A-frame signs can be displayed only during the hours of operation of the associated business.
- A-frame signs must be removed at the end of business by the establishment holding the permit.
- A-frame signs must be removed during approved special events.
- A-frame signs must be removed during inclement weather and high wind conditions.

MAINTENANCE

- Signage must be kept clean, structurally sound, and in visually-appealing condition at all times.

CHECKLIST

- ☐ Completed Minor Encroachment Application Form (*check "A-Frame Signs"*)
- ☐ Completed Sign Permit Application
- ☐ Fees
- ☐ Proof of Insurance
- ☐ Indemnity Agreement

